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10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 BOARD OF TRUSTEES OF THE
14 TEAMSTERS LOCAL 631 SECURITY
15 FUND FOR SOUTHERN NEVADA;
16 BOARD OF TRUSTEES OF THE
17 TEAMSTERS CONVENTION
18 INDUSTRY TRAINING FUND

CASE NO.

19 Plaintiffs,

20 **STIPULATED/CONSENT JUDGMENT**

21 vs.

22 TRIUMFO, INC., a Nevada corporation;
23 Prasad Darekar, an individual,

24 Defendants.

25 Defendants Triumfo, Inc. (“Employer”) and Prasad Darekar (“Guarantor”), hereby
26 stipulate and consent to entry of judgment in favor of Plaintiffs, the Boards of Trustees of the
27 Teamsters Local 631 Security Fund for Southern Nevada and the Teamsters Convention
28 Industry Training Fund (“Trust Funds”), and against Employers and Guarantor, jointly and
severally, in the total sum of \$81,054 for delinquent employee benefit contributions and
related costs and fees owed under the Employee Retirement Income Security Act of 1974
 (“ERISA”).

29 The parties have stipulated and therefore the Court finds:

30 1. Under the CBA and the Trust Agreements, Employer is obligated to pay
31 employee benefit contributions to the Trust Funds on behalf of their bargaining unit
32 employees represented by the Union.

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1 2. Employer owes the Trust Funds \$76,054 in employee benefit contributions,
2 fees, interest and liquidated damages to date for the time period of March 1, 2016, through
3 December 31, 2019.

4 3. In addition, in the event this judgment must be executed, the Trust Funds will
5 incur additional fees and costs determined by the parties to be at least \$5,000, which are
6 therefore included herein.

7 4. This Stipulated/Consent Judgment is entered into by and between the Employer
8 and the Trust Funds for employee benefit contributions and related costs and fees owed to the
9 Trust Funds required by ERISA.

10 5. The Verification is made in compliance with NRS 17.100 and is made without
11 notarization due to Prasad Darekar being out of the country during the COVID-19 pandemic.
12 All parties are sophisticated parties that agree that the Verification substantially complies with
13 NRS 17.100, and waive any and all potential compliance defenses based on NRS 17.100.
14 Moreover, all parties are estopped from impeaching or otherwise challenging the entry of this
15 judgment based on any defense that this Stipulated/Consent Judgment is unverified.

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25 6. Guarantor agrees to be jointly and severally liable personally for payment of
26 this judgment in the event Employer defaults or otherwise fails to pay the amounts owed under
27 this Stipulated/Confessed Judgment.

28 April
February ____ 28, 2021.

February ____ , 2021.

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12 Attorneys for the Trust Funds

13 TRIUMFO, INC.

14
Prasad Darekar.

15 Prasad Darekar, individually, as Guarantor
16 and on behalf of Employer, Triumfo, Inc.
17 c/o William Daniels
18 Laner Muchin, Ltd.
19 515 North State Street, Suite 2800
20 Chicago, Illinois 60654-4688
21 Email: wdaniels@lanermuchin.com

22 **JUDGMENT**

23 Judgment is hereby entered against Employer and Guarantor, jointly and severally, and
24 in favor of the Trust Funds in the amount of \$81,054.

25 Dated this _____ day of _____, 20____.

26 _____ U.S. DISTRICT COURT JUDGE

27 BROWNSTEIN HYATT FARBER SCHRECK, LLP
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VERIFICATION

I, Prasad Darekar, declares, under penalty of perjury of the law of the State of Nevada:

That I am the General Manager of Triumfo, Inc., a Nevada corporation, and am duly authorized to execute this document on its behalf; that I have read the foregoing Amended/Consent Judgment and know the contents thereof; that the same is true of my own knowledge, except for those matters therein stated on information and belief, and as to those parts I believe them to be true.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Prasad Darshan

Prasad Darekar

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